

PRIVATE HIRE VEHICLE CONDITIONS

This document sets out the relevant conditions relating to the application for, and operation of a Private Hire Vehicle Licence.

CONDITIONS OF APPLICATION

1. Chorley Council will only issue a Private Hire Vehicle licence when it is satisfied that the person applying for the licence is the proprietor, and all proprietors connected to the vehicle have been declared at the time of application. That person(s) must also:

- i) Satisfy the Council that he is a fit and proper person to hold such a licence and to operate a Private Hire Vehicle.
- ii) Satisfy the Council that the vehicle is registered under the Vehicles (Excise) Act 1949 or the Vehicles (Excise) Act 1971 or any statutory amendments of those Acts by producing the vehicles registration document at the time of application bearing the name of the proprietor. Where the vehicle is new (not previously registered within the UK) a vendors bill of sale will be acceptable detailing the name, address, date of purchase, and vehicle chassis number will be acceptable, the proprietor of the vehicle will produce to the council the V5 document within 7 days of him receiving it.
- iii) Satisfy the Council that there is in force, in relation to the use of the vehicle as a Private Hire Vehicle, a policy of insurance or security complying with the provisions of Part VI of the Road Traffic Act 1972, which covers third party liability both in respect of physical injury or death and also in respect of damage to personal belongings. The policy/certificate of insurance or security must be produced before a licence may be granted.
- iv) Present the vehicle for inspection at such place and at such time as the Council may by notice require.

With effect from **4th January 2010** all vehicles on first application and on renewal for a vehicle licence will pay for 6 month vehicle licence and pass the Councils Vehicle Inspection & Safety Test every 6 months.

Documentation

2. Proprietors must produce the following documents in order to progress the application:
 - i) Completed application form in the name of the vehicle proprietor (or joint proprietors) and appropriate fee. An application is not deemed complete if the method of payment is not cleared.
 - ii) The DVLA V5 'log book' or other certificate or document in the name of the vehicle proprietor that declares the first date of registration of the vehicle. Only vehicles declared as new at first registration in the UK will be considered for licensing, except stretched limos etc. Such vehicles will be licensed at the discretion of the Council.
 - iii) An LPG Gas Association Safety Certificate relating to the conformity and safe installation of any LPG system attached to the vehicle and in the vehicle proprietors name, where applicable.
 - iv) A valid certificate of insurance shall be produced to the Council prior to the grant of the private hire vehicle licence.

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DEFINITIONS

3. "Authorised Officer" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.
"The Council" means the Council of the Borough of Chorley.
"The identification plates" means the plates and other livery issued by the Council for the purpose of identifying the vehicle as a private hire vehicle.
"The Proprietor" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.
"Taximeter" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

IDENTIFICATION PLATES & LIVERY

4. The identification plate and livery shall remain the property of the Council at all times. The licence plate shall be affixed to the private hire vehicle by the proprietor at his own expense, in the following manner:-
 - (a) at the rear of the vehicle, and
 - (b) to the exterior of the vehicle, and
 - (c) with the number facing to the rear, and
 - (d) in a vertical plane, and
 - (e) must be affixed by bolts or screws or other similar secure means as approved by the Council, in such a manner as to be easily removed by an Authorised Officer.
5. The proprietor of the private hire vehicle shall ensure the identification plates are maintained and kept in such condition that the information contained on the identification plate is clearly visible to public view at all times.
6. Internal licence plate must be fixed to the dashboard not obscuring the drivers view or on the windscreen outside the swiped area.
7. The internal disc must be fixed to the windscreen outside the swiped area not obscuring the driver's view with the expiry date information visible from the vehicle exterior.
8. Door signs. The vehicle shall display Council provided livery to the front driver and passenger door fixed in a readable position. The Council's door signs shall be fixed permanently to the vehicle and the use of magnets or other means of temporary fixing shall not be used.

TYPE OF VEHICLE

9. When applying for the grant of a private hire vehicle licence, the proposed vehicle shall be subjected to the approval of the council and the following conditions apply:
 - (a) The vehicle must **not** be a vehicle licensed as a hackney carriage or private hire with any other Licensing Authority.
 - (b) The vehicle must not be left-hand drive except for stretch limousines or vehicles of similar nature.
 - (c) The vehicle must not be a convertible i.e. have a soft top.
 - (d) The vehicle must have at least 4 doors.
 - (e) The vehicle must have a capacity for at least 4 adult passengers.
 - (f) No 'Q' plated vehicles will be considered for licensing.

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- (g) Vehicles that have been categorised as 'write offs' by any insurance company at any level will not be considered for licensing.
- (h) It must have at least two side doors for the boarding and alighting of passengers in addition to a separate door for the driver and it must be fitted with at least four road wheels.
- (i) The engine capacity must be adequate for the loads to be carried. Accordingly, the vehicle should have an engine capacity of at least 1200cc.
- (j) Where the vehicle is fitted with continuous seats one person shall be counted for each complete length of 16 inches measured in a straight line lengthwise on the front of each seat, and where any such continuous seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use such seat shall be measured for the purposes of this Regulation as if it had not been fitted with such arms.
- (k) Only one passenger may be accommodated in the front of the vehicle next to the driver in cases where the vehicle is designed to take only one front seat passenger.
- (l) Door catches must be secure at all times whilst being capable of easy operation by passengers.
- (m) Forward mounted driving mirrors must be fitted on both sides of the vehicle and an interior rear mirror must be fitted. The mirrors must be maintained all times.
- (n) The vehicle must **not** be white, unless it is a stretched limousine or other similar vehicle that is acceptable for licensing as a private hire vehicle. Bizarre or garish colour schemes will not be permitted.
- (o) All seats must be fitted with the manufacturer's head restraints.
- (p) A 1kg (2.2lb) British standards fire extinguisher of the dry powder type shall be securely fitted to the vehicle so as to be readily available for use at all times and be marked with the Private Hire plate number. The fire extinguisher shall be maintained in good working order at all times.
- (q) Every estate type vehicle must be fitted with the manufacturer's approved or other universal type approved grille, securely fixed to the frame of the vehicle between the passenger area and load (luggage) carrying area.
- (r) Seating for each passenger must be not less than 400mm (16") with a minimum width, measured between the arm rests, or any other point that is protruding into passenger seating area, and be measured between the rear side passenger doors of not less than 1220mm (48").
- (s) No vehicle with rear or side facing seating will be considered for licensing except where that vehicle has been purposely constructed to accommodate such seating and holds a suitable vehicle type approval awarded prior to first UK registration as detailed at 13 below. In any event any vehicle presented with such seating arrangements will be licensed at the discretion of the council.
- (t) Any vehicle application received for a Private Hire Vehicle licence for more than 4 passenger seats, shall have been purposely constructed to accommodate such seating and hold a suitable vehicle type approval, awarded prior to first UK registration as detailed at 13 below. The vehicle shall be of the original manufacturer's design and specification, every seat shall be regarded as a permanent seat, and no seating shall be capable of being stowed within the confines of the body of the vehicle.
- (u) Where any seating is made readily removable by the manufacturer's design, that vehicle shall be fitted with the manufacturer's approved restraint, securely fixed to the frame of the vehicle between the passenger area and load (luggage) carrying area so created by the removal of any seating. Such fixings shall be presented at the time of testing. Where no such approved manufacturer's luggage securing

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- device exists or is fitted then there should be a suitable means of securing luggage provided to the satisfaction of the Council.
- (v) No vehicle presented for licensing shall by any design or feature of that vehicle be capable to offer seating for more than the number of passengers as stated on the Private Hire vehicle licence application. Any modifications made to satisfy this requirement shall be made to the satisfaction of the council.
 - (w) Vehicle head room. The height as measured between the rear seat and the roof lining in a vertical plane must be not less than 860mm (34"). This shall be measured at the center of a passenger seat situated between the two rear passenger doors.
 - (x) There shall be a minimum gap of 180mm (7") between the back of any forward seat and the front edge of any rear seating; this shall be measured when the front seating is in its furthest pushed back position. (Seating relates to the base of the seat as opposed to the back support of the seating arrangement).
 - (y) No vehicle will be licensed if the passenger has to climb over seats or luggage to gain access or egress, or where such entrance or exit is sited over a fuel tank or high sill. All handles and levers shall be clearly visible and of a type consistent with those fitted to all other doors of the vehicle.
10. Any vehicle incorporating a lifting device shall at first application provide a certificate of conformity issued in accordance with the LOLER Regulations 1998, and produce at any subsequent renewal a certificate of safety issued in accordance with LOLER Regulations 1998 and guidance to the satisfaction of the council
11. The proprietor of a private hire vehicle shall
- (a) Provide sufficient means by which any person in the vehicle may communicate with the driver;
 - (b) Cause the roof or covering to be kept watertight;
 - (c) Provide any necessary windows and a means of opening and closing with not less than one window on each side;
 - (d) Cause the seats to be properly cushioned or covered;
 - (e) Cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - (f) Cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public use;
 - (g) Provide means for securing luggage;
12. At the time of booking the operator shall establish the luggage requirements of the fare and ensure that the vehicle or vehicles provided are sufficient to safely and securely accommodate the fares luggage requirements within the vehicle(s) without compromising the safety of passengers, driver and other road users.
13. Any vehicle presented for Private Hire licensing shall meet the technical standards for type approval to
- a) European Whole vehicle type approval
 - b) British National type approval
 - c) British Single vehicles approval or
 - d) British Low volume type approval
14. Vehicles presented at first licensing from 5th October 2010 intended to provide Disability access shall for the purpose of Type 1 Disability Access will have the following.
- a. A means of permitting access & egress to the rear interior of the vehicle for an occupied adult wheelchair.

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- b. Has a British National type Approval (sec (1) of the RTA 1998) certificate issued prior to first UK registration, in conjunction with type approval as detailed at 13 above.
 - c. The vehicle shall be able to accommodate 2 additional passengers in permanent seats in addition to the provision of a wheel chair.
 - d. The vehicle shall be of a suitable design to accommodate a wheelchair and passengers in comfort.
 - e. Any and all modifications shall be to E1 type Approved and marked accordingly or equivalent.
 - f. The vehicle shall be designed to accommodate all equipment securely and safely.
 - g. Handles and grips should be sufficient to aid the access and egress of passengers and be brightly coloured.
15. Vehicles presented at first licensing from 5th October 2010 intended to provide Disability access shall for the purpose of Type 2 Disability Access will have the following.
- a. Handles and grips should be sufficient to aid the access and egress of passengers and be brightly coloured.
 - b. Offer suitable space to accommodate a folded wheelchair and will not protrude into the cabin space and be safely secured
16. All vehicles of Type 1 or 2 Disability Access shall display the appropriate disability emblem in a prominent position on the vehicle.

CONDITIONS OF VEHICLE LICENCE

CONDITION OF VEHICLE

17. The proprietor shall ensure that the private hire vehicle shall be maintained in a sound mechanical and structural condition and be capable of satisfying the Council's Vehicle Inspection & Safety Test at all times.
18. The proprietor or proprietors as defined in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976 shall be jointly and severally responsible for the vehicle and all its fittings and equipment and shall ensure that at all times when the vehicle is in use or available for hire it is maintained in an efficient, safe, tidy and clean condition and that all relevant statutory requirements including in particular those contained in Motor Vehicles (Construction and Use) Regulations are fully complied with.
19. The proprietor shall not allow the mechanical and structural specification of the private hire vehicle to be varied without the consent of an Authorised Officer of the Council. Unauthorised variations will result in the licence becoming immediately invalid.

LPG POWERED VEHICLES

20. When a LPG system is fitted to an existing private hire vehicle, a certificate of conformity shall be presented to the Council immediately upon completion of the LPG installation and the vehicle shall not be eligible to act as a private hire vehicle until the conversion is to the satisfaction of the Council.

SIGNS, NOTICES ETC

21. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions.

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This condition shall **not** apply to a sign which:

- (a) Contains no words or numbers other than the name, address and telephone number of the operator of the vehicle or the name under which he carries on his business and his business address and telephone number. Provided that in the opinion of the Council the wording of any sign does not appear to lead any person to believe that the vehicle is a hackney carriage;
- (b) Displays sponsored commercial advertisements to be displayed on the rear passenger's doors, for which display prior written permission has been obtained from the Council.
- (c) displays an information sticker or disc describing membership of a taxi trade associations or similar taxi trade body is permitted in the windscreen of licensed hackney carriage and private hire vehicles provided that it is of such a size and in such a position so as not to obscure the field of vision of the driver. The display of such sticker or disc shall be limited to one per vehicle.

22. Roof signs are not permitted on private hire vehicles.

23. Any additional livery must not be above 12" measured from the bottom of the door, and in any case must not protrude higher than the bump bar strip fitted to the door, this area will be regarded as the lower panel of the door.

PASSENGERS

24. The proprietor shall not permit the Private Hire Vehicle to be used to carry a greater number of passengers than that prescribed in the licence.

ANIMALS

25. The proprietor shall not permit any animal to ride in the vehicle except an animal in the custody or control of the hirer which animal shall be conveyed in the rear of the vehicle.

26. The licensee must carry a guide, hearing or other prescribed assistance dog belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that their operator/company is aware of such medical condition when they are first employed.

LICENCES

27. The proprietor shall deposit the vehicle licence issued by the Council with the private hire operator for whom the vehicle is being used during the time it is so used for that operator.

TWO-WAY RADIOS

28. The proprietor shall ensure that any radio equipment fitted to the private hire vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

29. That any means of radio communication used by the proprietor or driver of a private hire vehicle with respect to the operation thereof must be a means of radio communication using radio frequencies other than those licensed by the Department of Trade and Industry for use by Citizens Band Radio.

CHANGE OF ADDRESS

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30. The proprietor shall notify the Council in writing of any change in his address within 7 days of such change taking place.

METERS

31. Where a taximeter is fitted, it must be calibrated and the table of fares shall be prominently displayed within the vehicle. Any fares should be previously agreed by the Council. The meter shall bear the original seal(s) as fitted by the person authorised to carry out the calibration.
32. The calibration certificate should be made available to an authorised officer upon request.

DRIVERS

33. No person, other than a holder of a current private hire driver's licence issued by the Council is permitted to drive the private hire vehicle.

ACCIDENTS

34. The proprietor of a Private Hire Vehicle shall report to the Council as soon as reasonably practicable, and in any case within 72 hours of the occurrence, any accident to the licensed vehicle causing damage materially affecting the safety, performance and appearance of the licensed vehicle or the comfort or convenience of persons carried.

RECORD BOOKS AND RECEIPTS

35. The proprietor shall ensure that a record book is kept at all times in the vehicle. This record book must show the occasions when a receipt is issued. A receipt must be given if requested and each receipt must show the licence number of the driver, the date and the amount charged. A sign should be displayed in the vehicle indicating that a receipt will be given if requested.

RADIO SCANNERS

36. The Licensee shall not fit, carry, or use any radio frequency scanning apparatus in or on a licensed vehicle.

INSURANCE

37. A private hire vehicle must be insured at all times during the period of the licence. The licence is invalid if it is not insured.
38. Where the insurance produced with the application for or renewal of this licence is due to expire before the date of expiry of the licence a current insurance document must be produced either on or before the date when the original insurance expires. It is the responsibility of the proprietor to ensure that a current insurance document is produced to the Licensing Section.